

Remarks

Claims 1, 4, 6, 10, 13-18, 21 and 25 were pending.

Claims 1, 4 and 21 are amended.

Claim 25 is cancelled.

Claims 6, 10 and 13-18 are as previously presented.

The application now contains claims 1, 4, 6, 10, 13-18 and 21.

Claim 1 is amended for clarity by inserting at the end of line 3 the phrase "a mixture of monomers consisting of", deleting after the definition of b) the phrase " and c) optionally" and inserting in its stead "wherein the polymerisation optionally occurs in the presence of", inserting into the next to last line between "the polymer" and "in the form" the limitation "when added to said composition is" and changing the subsequent occurrence of the word "has" to "having".

The amendments are intended to make clear that the polymer is limited to a polymer made up of monomers of formula I and II and less than of less than 5 ppm of a crosslinker. There are no other monomers. Support is inherent in the claim. Applicants also respectfully point to pages 2 through 6 of the instant application and note that no other monomers are mentioned. The amendments are also intended to make clear that the polymer has an average particle size of more than 50 μm when added to the composition. Support is found on page 2 lines 3-6.

Claim 4 is amended to insert the limitation "when added to said composition" to be completely consistent with claim 1. Claim 21 is amended so that component B is consistent with claim 1 by incorporating the instant amendments to claim 1 and the limitations of now cancelled claim 25. Support is inherent in the claims.

No new matter is added.

Rejections

Claims 1, 2, 4, 6, 10, 13-18, 21 and 25 are rejected under 35 USC 103(a) as being obvious over Biggin et. al., US 5,114,600.

Claims 1, 2, 4, 6, 10, 13-18, 21 and 25 are rejected under 35 USC 103(a) as being obvious over Schulman et al., US 6,451,756 or DE 101 16 491.

Applicants respectfully traverse the rejections.

In rejecting Applicants previous arguments, the Examiner makes the observation that the instant claims in their previous form did not specify that the claims did not specify that the particle size of the polymer was greater than 50 μm and could be read so as to include additional monomers such as monomer B of Schulman. Applicants submit that the instant amendments address the Examiner's concern.

Applicants therefore respectfully submit that Biggin specifically teaches away from the instant invention in column 3 lines 28-30 "The cationic polymer must be added while in the form of particles below 10 micrometers in size, and preferably below 2 micrometers in size", whereas the instant claims require that the polymer is added to the composition in the form of particles with an average particle size of more than 50 μm . This is significantly larger than any particle contemplated by Biggin and Biggin is clear that such a particle is to be avoided. Yet, as shown in the instant examples, excellent results are obtained using the instant polymers.

Applicants therefore respectfully submit that the rejections of claims 1, 2, 4, 6, 10, 13-18, 21 and 25 under 35 USC 103(a) as obvious over Biggin et. al., US 5,114,600 are addressed and are overcome and kindly ask that the rejections be withdrawn.

Applicants also submit that the polymers of the instant claims can not contain alkyl, ethoxylated alkyl or polyalkylene glycol (meth)acrylate monomers, aromatic ether monomers or mono or di meleate ester monomers, required in Schulman as component B. Column 2, lines 34-39 and especially line 47, requires that n, the total number of B residues must be greater than 1.

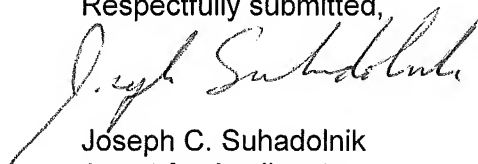
Applicants therefore respectfully submit that the rejections of claims 1, 2, 4, 6, 10, 13-18, 21 and 25 under 35 USC 103(a) over Schulman et al., US 6,451,756 are addressed and are overcome and kindly ask that the rejections be withdrawn.

Applicants further respectfully submit that all rejections are addressed and are overcome and kindly ask that all rejections be withdrawn and that claims 1, 4, 6, 10, 13-18 and 21 be found allowable.

In the event that minor amendments will further prosecution, Applicants request that the examiner contact the undersigned representative.

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